

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WSOU INVESTMENTS, LLC D/B/A	§	
BRAZOS LICENSING AND	§	CIVIL ACTION 6:20-cv-01163-ADA
DEVELOPMENT,	§	CIVIL ACTION 6:20-cv-01164-ADA
<i>Plaintiff,</i>	§	CIVIL ACTION 6:20-cv-01165-ADA
	§	CIVIL ACTION 6:20-cv-01166-ADA
v.	§	CIVIL ACTION 6:20-cv-01167-ADA
	§	CIVIL ACTION 6:20-cv-01168-ADA
SALESFORCE.COM, INC.,	§	CIVIL ACTION 6:20-cv-01169-ADA
<i>Defendant.</i>	§	CIVIL ACTION 6:20-cv-01170-ADA
	§	CIVIL ACTION 6:20-cv-01171-ADA
	§	CIVIL ACTION 6:20-cv-01172-ADA

CASE READINESS STATUS REPORT

TO THE HONORABLE COURT:

Plaintiff WSOU Investments, LLC d/b/a Brazos Licensing and Development (“WSOU”) and Defendant salesforce.com, inc. (“Salesforce”) hereby provide the following status report in advance of the initial Case Management Conference (CMC).

FILINGS AND EXTENSIONS

Plaintiff WSOU filed a complaint in each of the above-numbered cases on December 18, 2020. There has been one extension for a total of 60 days.

RESPONSES TO THE COMPLAINTS

In lieu of answering Plaintiff WSOU’s ten Complaints, on May 6, 2021, Defendant Salesforce moved to dismiss Plaintiff’s indirect infringement claims in all ten actions, including for failure to plead pre-suit knowledge of the patents-in-suit. Further, in the -1165 and -1167 actions, Defendant moved for dismissal of the Complaints based on patent ineligibility under 35 U.S.C. §101 and, in the -1163, Defendant moved to dismiss the Complaint in its entirety due to failure to state a claim.

PENDING MOTIONS

On May 6, 2021, in each of the above-numbered cases, Defendant Salesforce filed a motion to dismiss pursuant to Rule 12(b)(6).

RELATED CASES IN THIS JUDICIAL DISTRICT

The above-numbered cases were all filed by Plaintiff WSOU against Defendant Salesforce in this District. There are no known related cases.

IPR, CBM, AND OTHER PGR FILINGS

There are no known IPR, CBM, or other PGR filings with respect to the patents asserted in the above-numbered cases.

NUMBER OF ASSERTED PATENTS AND CLAIMS

Plaintiff WSOU has asserted one patent in each case. Plaintiff WSOU has not yet identified the number of asserted claims, although it asserted one claim in each Complaint. Plaintiff WSOU has not yet served its preliminary infringement contentions.

APPOINTMENT OF TECHNICAL ADVISOR

The parties are discussing whether appointment of a technical adviser would be beneficial and will so advise the Court in the coming weeks.

MEET AND CONFER STATUS

Plaintiff WSOU and Defendant Salesforce conducted a meet & confer conference for the above-numbered cases on May 12, 2021. The parties raise the following pre-*Markman* issues:

Protective Order. The parties anticipate submitting a proposed form of protective/confidentiality order, or their limited disputes regarding such an order, in the coming weeks.

License Defense. Salesforce intends to assert a case dispositive license defense. Salesforce intends to assert its license defense in all ten cases filed by WSOU, and expects the defense will dispose of all cases if successful. Because the defense has the potential to dispose of the cases before *Markman*, and may thereby result in a substantial conservation of the Court's and parties' resources, Salesforce requests leave to take targeted pre-*Markman* discovery regarding its defense. In particular, Salesforce requests leave to take pre-*Markman* discovery in the form of no more than 10 document requests, 5 interrogatories, and two depositions.

The parties currently have no other pre-*Markman* issues for discussion at the CMC.

Dated: May 26, 2021

Respectfully submitted,

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DATED: May 26, 2021

Respectfully submitted,

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